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9 UNITED STATES BANKRUPTCY COURT

10 Southern District of California

11 In re

12 LUXURY TOY CLUB, LLC

13 Debtor.

Case No. 11-17177-LA7

DECLARATION OF LEONARD J.
ACKERMAN, TRUSTEE RE MOTION OF
RICHARD M.KIPPERMAN, CUSTODIAN
AND RECEIVER FOR ORDER
AUTHORIZING TRUSTEE TO TURN OVER
POSSESSION TO BANKRUPTCY COURT
CUSTODIAN AND FOR RELIEF FROM THE
AUTOMATIC STAY

14 I, Leonard J. Ackerman, declare:

15 1. I am an attorney duly admitted to practice in the State of California and before this
16 Court. I have been appointed and am serving as interim trustee in the above-captioned case under
17 chapter 7. I have personal knowledge of the facts stated here and could and would competently
18 testify thereto if called as a witness.

19 2. Shortly following my appointment as trustee, I was contacted by Mr. Slater, the
20 attorney for Richard Kipperman, Receiver. I learned the Mr. Kipperman was the receiver in
21 possession of the property at 1012 Prospect Street, the Debtor's address as shown on the bankruptcy
22 petition. Immediately after my appointment I contacted the property manager and requested that the
23 locks be changed on the suite occupied by Luxury Toy Club.

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1 3. The petition was filed without schedules. Although the Debtor is a limited liability
2 company (which is confirmed by online search of the records of the California Secretary of State)
3 the Debtor is not represented by an attorney. After receiving my appointment as Trustee, in an effort
4 to learn about the Debtor's business and possible assets I visited the Debtor's website. Their home
5 page include pictures of a sports car, a power yacht and a private jet, and states:

6 Luxury Toy Club is a membership club for successful individuals that like to
7 have fun and reward themselves and others with exciting life experiences.
8 Members enjoy easy access to luxury cars and exotic cars, jets, planes, limos,
9 yachts and exclusive social events. At Luxury Toy Club, we offer the widest
10 selection of Exotic Luxury Cars and provide excellent service. We always add
new Luxury Cars to our collection, Lamborghini, Ferrari, Bentley and Rolls
Royce just to name a few. We are San Diego's Luxury Car Rental Provider
and your new favorite chauffeur service. Drive your new Luxury Car Rental
today.

11 4. The petition was filed on Wednesday, October 19. On the following Wednesday,
12 October 26, I appeared at the property and was conducted to Suite 300. There I met with Mr.
13 Mackey, who signed the petition on behalf of the Debtor as its Managing Member. Also in
14 attendance was Ms. Jacqueline Rigg, a paralegal employed by Kirby & McGuinn.

15 5. At that time, Mr. Mackey allowed us to inspect the property on site in Suite 300.
16 None of the equipment or records on the site were identifiable as the property or records of Luxury
17 Toy Club. Mr. Mackey then stated that Luxury Toy Club had not been in business for over a year.

18 6. During my visit I also inspected the adjacent suite, No. 310, which I understand was
19 at one time occupied by Luxury Toy Club. That suite was vacant.

20 7. Upon my appointment as Trustee I requested my attorneys to perform asset and UCC
21 searches to determine whether any assets of the Debtor might exist. Public records reports contain
22 no indication that the Debtor has any assets. For example, a UCC search reveals only a single
23 financing statement, by Security Business Bank, which was terminated by the filing of an
24 Amendment in May, 2010. A litigation search does not indicate any currently pending creditor
25 lawsuits against the Debtor. My attorneys have requested information as to possible car and boat
26 registrations from the California Department of Motor Vehicles, but it is too early to receive these
27 results.

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4 I declare under penalty of perjury under the laws of the United States that the foregoing is
5 true and correct and that this Declaration was executed on October 31, 2011 at San Diego,
6 California.

7 /s/ Leonard J. Ackerman, Trustee
LEONARD J. ACKERMAN, TRUSTEE